2011 DRAFTING REQUEST

Bill								
Received: 01/09/2012					Received By: mkunkel			
Wanted	: As time peri	nits			Companion to LRB: By/Representing: Dee Pettack			
For: Lu	ther Olsen (6	508) 266-0751						
May Contact:					Drafter: mkunkel Addl. Drafters:			
Subject: Trade Regulation - other								
					Extra Copies:			
Submit	via email: YE	S						
Reques	ter's email:	Sen.Olsen	@legis.wise	consin.gov				
Carbon	copy (CC:) to	:						
Pre To	pic:							
No spec	cific pre topic	given						
Topic:								
Zinc air	button cell ba	tteries						
Instruc	ctions:			· · · · · · · · · · · · · · · · · · ·				
See atta	ched							
Draftir	ng History:					A STATE OF THE STA		
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	Jacketed	Required	
/?	mkunkel	wjackson					State	

FE Sent For:

/1

0x intro

01/09/2012 01/09/2012

<END>

phenry

phenry ______ 01/10/2012 _____

mbarman

01/10/2012

ggodwin

01/10/2012

Received By: mkunkel

2011 DRAFTING REQUEST

*	٠	1	1
к	1	ı	1
·	£	ı	

Received: 01/09/2012

Wanted: As time permits For: Luther Olsen (608) 266-0751					Companion to LRB: By/Representing: Dee Pettack			
May Contact: Subject: Trade Regulation - other			other		Drafter: mkunkel Addl. Drafters:			
			Submit	via email: YES				
Request	er's email:	Sen.Olsen	@legis.wisc	onsin.gov				
Carbon	copy (CC:) to:							
Pre Top	oic:				AMAZA			
No spec	ific pre topic gi	ven						
Topic:				·				
Zinc air	button cell batt	eries						
Instruc	tions:							
See atta	ched							
Draftin	g History:				,			
<u>Vers.</u>	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required	
/?	mkunkel 01/09/2012	wjackson 01/09/2012		<u> </u>			State	
/1			phenry 01/10/20	12	mbarman 01/10/2012			
FE Sent	For:							

<END>

2011 DRAFTING REQUEST

Bill

Received: 01/09/2012

Received By: mkunkel

Wanted: As time permits

Companion to LRB:

For: Luther Olsen (608) 266-0751

By/Representing: Dee Pettack

May Contact:

Subject:

Trade Regulation - other

Drafter: mkunkel

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email:

Sen.Olsen@legis.wisconsin.gov

Typed

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Zinc air button cell batteries

Instructions:

See attached

Drafting History:

Vers.

Drafted

Reviewed

Proofed

Submitted

Jacketed

Required

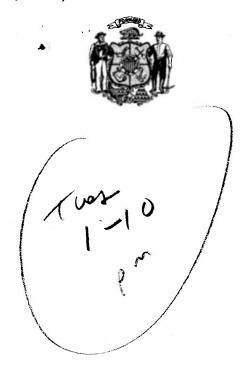
/?

mkunkel

11 wij 119

FE Sent For:

<END>



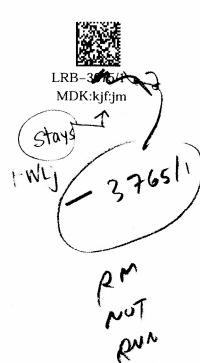
1

2

3

State of Misconsin 2011 - 2012 LEGISLATURE

2011 BILL



AN A Regen

AN ACT to amend 100.27 (6), 100.27 (7) (a) and 100.27 (7) (b); and to create

100.27 (1) (dg), 100.27 (1) (dr) and 100.27 (5m) of the statutes; **relating to:** zinc

air button cell batteries and providing penalties.

Analysis by the Legislative Reference Bureau

Current law imposes restrictions on the following batteries:

1. No person may sell or offer for sale an alkaline manganese button cell battery manufactured after January 1, 1996, unless the manufacturer has certified to the Department of Agriculture, Trade and Consumer Protection (DATCP) that the battery contains no more than 25 milligrams of mercury.

2. No person may sell or offer for sale any other alkaline manganese battery manufactured after January 1, 1996, or any zinc carbon battery manufactured after July 1, 1994, unless the manufacturer has certified to DATCP that the battery contains no mercury that was intentionally introduced.

3. Except for a mercuric oxide button cell battery, no person may sell or offer for sale a mercuric oxide battery unless the manufacturer informs purchasers of a recycling or disposal site for the battery.

This bill creates a new restriction for a "zinc air button cell battery," which the bill defines as a battery that resembles a button in size and shape and that has a zinc anode, an alkaline electrolyte, and cathode that is capable of catalyzing oxygen when present. The bill prohibits a person from selling or offering for sale a zinc air button cell battery manufactured after January 1, 2013, unless the manufacturer certifies to DATCP that the battery has no mercury that was intentionally introduced. The

BILL

1

13

14

15

16

- at retail

bill requires DATCP to compile and make available to the public a list of zinc air button cell patteries for which it receives such a certification. Under current law, DATCP has the same duty regarding certifications it receives for alkaline manganese and zinc carbon batteries. A person who sells a zinc air button cell battery/in violation of the bill is subject to a forfeiture of not less than \$50 nor more than \$200 and a manufacturer who submits a fraudulent certification is subject to a forfeiture of not less than \$1,000 nor more than \$10,000. The same forfeitures apply to the restrictions under current law described above.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1	Section 1. 100.27 (1) (dg) of the statutes is created to read:
2	100.27 (1) (dg) "Zinc air battery" means a battery with a zinc anode, an alkaline
3	electrolyte, and a cathode that is capable of catalyzing oxygen when present.
4	Section 2. 100.27 (1) (dr) of the statutes is created to read:
5	100.27 (1) (dr) "Zinc air button cell battery" means a zinc air battery that
6	resembles a button in size and shape.
7	SECTION 3. 100.27 (5m) of the statutes is created to read:
8	resembles a button in size and shape. SECTION 3. 100.27 (5m) of the statutes is created to read: 100.27 (5m) ZINC AIR BUTTON CELL BATTERIES. No person may sell or offer for sale
9	a zinc air button cell battery that is manufactured after January 1, 2013, unless the
10	manufacturer has certified to the department that the zinc air button cell battery
11	contains no mercury that was intentionally introduced.
12	Section 4. 100.27 (6) of the statutes is amended to read:

100.27 (6) LIST OF CERTIFIED BATTERIES. The department shall compile and make

available to the public a list of all batteries for which it has received certification

Section 5. 100.27 (7) (a) of the statutes is amended to read:

under subs. (2) and, (3), and (5m).

_			
1.2		1	
IJ	11		

l	100.27 (7) (a) Any person who violates subs. (2) to (5) (5m) shall forfeit not less
2	than \$50 nor more than \$200.
3	Section 6. 100.27 (7) (b) of the statutes is amended to read:
4	100.27 (7) (b) Any manufacturer that submits a fraudulent certification under
5	sub. (2) of (3), or (5m) shall forfeit not less than \$1,000 nor more than \$10,000 for
6	each violation.
7	(END)

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-3765/1dn MDK:

WLj



Sen. Olsen:

This bill is identical to LRB-3675/1, except that it refers to retail sales.

Mark D. Kunkel Senior Legislative Attorney Phone: (608) 266-0131

E-mail: mark.kunkel@legis.wisconsin.gov

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-3765/1dn MDK:wlj:ph

January 10, 2012

Sen. Olsen:

This bill is identical to LRB-3675/1, except that it refers to retail sales.

Mark D. Kunkel Senior Legislative Attorney Phone: (608) 266-0131

E-mail: mark.kunkel@legis.wisconsin.gov

Godwin, Gigi

From:

Pettack, Dee

Sent:

To:

Subject:

Tuesday, January 10, 2012 4:39 PM LRB.Legal Draft Review: LRB 11-3765/1 Topic: Zinc air button cell batteries

Please Jacket LRB 11-3765/1 for the SENATE.